

**U.S. Department of the Interior
Bureau of Land Management**

**Environmental Assessment
DOI-BLM-NV-S010-2012-0075-EA**

N-88220

Communications Site

For an unmanned wireless telecommunications facility

APPLICANT

Arizona Nevada Tower Corporation

LOCATION

Located in Clark County, Nevada, North of the town of Goodsprings, Nevada.

PREPARING OFFICE

**U.S. Department of the Interior
Bureau of Land Management
Las Vegas Field Office
4701 N Torrey Pines
Las Vegas, Nevada 89130
702-515-5000**



BLM

Environmental Assessment
Arizona Nevada Tower Corporation (ANTC) Goodsprings
Communication Site

Section 1.1 Identifying Information:

DOI-BLM-NV-S010-2012-0075-EA

Section 1.1.1Title, EA Number, and Type of project:

Title: Arizona Nevada Tower Corporation (ANTC) Goodsprings

EA Number: DOI-BLM-NV-S010-2012-0075-EA

Section 1.1.2 Location of Proposed Action:

The proposed wireless facility is located in Clark County, Nevada, North of the town of Goodsprings, Nevada..

LEGAL DESCRIPTION:

Mount Diablo Meridian, Nevada
T. 24 S., R. 58 E.,
sec. 5, lot 3, S½NW¼, and SW¼;
sec. 6, SE¼SE¼;
sec. 7, E½NE¼;
sec. 8, NW¼SW¼, and S½SW¼;
sec. 15, S½SW¼;
sec. 16, S½NW¼, NW¼SW¼, and N½SE¼;
sec. 17, NW¼NE¼, SE¼NE¼, and NE¼NW¼;
sec. 22, N½NE¼, SE¼NE¼, and NE¼NW¼;
sec. 23, SW¼NW¼, W½SW¼, and SE¼SW¼.

Section 1.1.3 Name and Location of Preparing Office:

Department of the Interior
Bureau of Land Management
Las Vegas Field Office
4701 N. Torrey Pines
Las Vegas, NV 89130

Office Number: LLNVS00560

Section 1.1.4 Identify the subject function code, lease, serial, or case file number:

Casefile Number: N-88220 - Goodsprings-Potosi

Section 1.1.5 Applicant Name:

Arizona Nevada Tower Corporation (ANTC)

Section 1.2 Introduction and Background of Project:

Arizona Nevada Tower Corporation (ANTC) is an existing wireless communications infrastructure business based in Las Vegas, Nevada. ANTC specializes in providing wireless communication facilities in strategic locations throughout Nevada, including an existing network servicing 850 miles of the Highway 95 and Highway 93 NAFTA corridors leading out of Las Vegas. ANTC currently is expanding its operations by providing carrier grade backhaul service throughout its growing network, and by providing wireless broadband Internet access to select rural communities in the Southwest through collaboration with the United States Department of Agriculture (USDA) and its Community Connect Broadband Grant program. ANTC has applied for a right-of-way for an unmanned wireless communication facility to accommodate and service the public in Las Vegas and Pahrump.

Section 1.3 Purpose and Need for Action:

The proposed action is to authorize an unmanned wireless telecommunications facility at the Lower Potosi Communication Facility north of the town of Goodsprings, Nevada. The site will be used to support wireless communications in the area. The ANTC location would be a link in the Central Nevada Community Anchor Wireless Broadband Solution (CNCAWBS) which has a focus on community anchor institutions, and with interoperability at its core, wireless telephone carriers, public safety providers, local television, and radio translators, educational content providers and enterprise users will have access to the public safety and quality of life for thousands of residents and millions of travelers. This project will be a part of the Broadband Initiatives Program (BIP) which will assist in expanding the access to broadband services across rural America and help meet the objectives of the American Recovery Act of 2009.

The need for the proposed action is established by the Bureau of Land Management’s (BLM) responsibility under the Federal Land Policy Management Act of 1976 (FLPMA) to respond to requests for right-of-way (ROW) grants.

Section 1.4 Scoping, Public Involvement and Issues:

The project is located adjacent to the Lower Potosi Communication Site. Upon approval of the project, the facility would expand the boundary of the already existing communication site. The tower is compatible for any licensed spectrum holder or government agency.

This proposal has been reviewed internally with the Bureau of Land Management (BLM) resource team members. Their comments and evaluations are included in this environmental assessment.

The Environmental Assessment (EA) is available for review by the public on the internet on the DOI.GOV website under NEPA number: DOI-BLM-NV-S010-2012-0075-EA.

Issues that were identified with internal scoping and include a may be affected: Migratory Birds, Soils.

Chapter 2 Proposed Action and Alternatives

Section 2.1 Description of the Proposed Action — Alternative Number 1:

The proposed action would be for the BLM to authorize a communication use lease ROW for an unmanned wireless telecommunications facility and an access road. This project will be a part of the Broadband Initiatives Program (BIP) which will assist in expand the access to broadband services across rural America and help meet the objectives of the American Recovery Act of 2009. Construction would last approximately 90 days from the construction tables provided by applicant in the plan of development. The site will consist of an antenna support structure (up to 300' self supporting lattice tower), radio equipment shelter, and electrical service panel(s) enclosed by a 6' chain link fencing with 3 strands of barb wire atop. The site proposed is a would be used as a microwave radio backbone operating in the 6 GHz and 11 GHz bands. The equipment shelter is 12' x 80' to allow other users to co-locate in the building and on the tower. The site request is for an area of 200' x 200' in length (40,000 square feet) to construct a (up to) 300' self-supported lattice tower, with commercial power to the site and gated access road. The leased fenced area will include radio equipment shelter(s) at the base of the tower and an access road. This action is located in Goodsprings, Nevada, The approximate size of action would contain an area of 52,200 square feet or 1.20 acres of newly disturbed land including 1,200' x 10' (12,000 feet) addition to an existing road and a 200' x 200' (40,000 square feet) communication site facility. The legal access to the communication site would be an already existing disturbed road of 17.25 acres. The total area of this project including the existing access road would be an area of 18.45 acres.

Section 2.2 Description of Other Alternatives Analyzed in Detail:

No Action — Alternative Number 2:

Under the No Action Alternative, the BLM would deny the communication site application. Since no development has occurred, this area would remain undisturbed and administered by the Bureau of Land Management.

Section 2.3 Alternatives Considered but not Analyzed in Detail — Alternative Number 3:

No other alternatives were considered since the proposed location is required to complete the link for the Broadband Initiatives Program.

Section 2.4 Conformance

The proposed action is in conformance with the Las Vegas Resource Management Plan Environmental Impact Statement (RMP), approved on October 5, 1998. The RMP has been reviewed and it has been determined the proposed action conforms to land use plan decisions RW-1, RW-1-h, RW-2, under the authority of FLPLMA. Although not specifically mentioned, communication facilities are discretionary on public lands available for site type rights-of-ways..

- RW-1 – “Meet public demand and reduce impacts to sensitive resources by providing an orderly system of development for transportation, including legal access to private inholdings, communications, flood control, major utility transmission lines, and related facilities.”
- RW-1-h – “All public land within the planning area, except as stated in RW-1-c through RW-1-g, are available at the discretion of the agency for rights-of-way under the authority of the Federal Land Policy Management Act.”

- RW-2 – “Maximize the use of existing communication sites and prevent the proliferation of scattered single sites.”

Chapter 3 Affected Environment:

SUPPLEMENTAL AUTHORITIES

Supplemental Authority	Not Present	Present/Not Affected	Present/May be Affected	Rationale
Air Resources		✓		Ensure a dust control permit is obtained through DAQEM for all soil disturbing activity of .25 acres or greater, in the aggregate, and permit stipulations are in compliance for the duration of the activity.
Area of Critical Environmental Concern (ACEC)	✓			The proposed project area is not within an ACEC or any other critical desert tortoise habitat.
Cultural/Historical	✓			To comply with Section 106 of the National Historic Preservation Act (NHPA), the BLM Archaeologist conducted an existing data review of the area of potential effect (APE) according to 36 CFR 800.4. The APE was previously evaluated and results are detailed in BLM Cultural Resource reports 5-158. No historic properties were identified within the APE or extending along the ridge line. No further evaluation is required unless the scope of the undertaking changes. As proposed, the undertaking will have no effect to historic properties.
Fuels/Fire Management		✓		During construction normal conformance with seasonal fire restrictions is adequate. Fire restrictions went into effect May 23, 2012. For the life of the lease due diligence is required for maintaining a wildfire defensive space of low to zero vegetation and fuels in this area.
Paleontological Resources	✓			No concerns.
Environmental Justice	✓			No minority or low-income communities are present in project area.

Supplemental Authority	Not Present	Present/Not Affected	Present/May be Affected	Rationale
Farmlands Prime or Unique	✓			There are no prime or unique farmland designations in the District.
Invasive Species/ Noxious Weeds		✓		Disturbance is minimal, however there is still potential to introduce and spread noxious weeds. Follow the LVFO Noxious Weed Plan to meet noxious weed compliance requirements, and prevent and/or control weed species along the ROW. To avoid spreading noxious and/or invasive weeds project activities shall include the following stipulations: 1) Avoid or minimize all types of travel through weed-infested areas. If a problem is identified and avoidance or removal is not possible, the project proponent shall set up inspection and equipment cleaning sites to prevent the spread of weeds upon departure. 2) Limit ground disturbance to the minimum necessary to safely construct and operate the Proposed Project. The Applicant would avoid creating soil conditions that promote weed germination and establishment. 3) Project related equipment (i.e. undercarriages and wheel wells) will be cleaned of all mud, dirt and plant parts before each tour. Project workers shall inspect, remove, and dispose of weed seed and plant parts found on their clothing and personal equipment, bag the product and dispose of in a dumpster. Disposal methods may vary depending on the project. If you have questions consult with the LVFO Noxious Weed Coordinator.

Supplemental Authority	Not Present	Present/Not Affected	Present/May be Affected	Rationale
Lands/Access		✓		Notify adjacent holders of activity and send site availability with technical data sheets to ensure no interference with current ROW holders. For communication sites add the motorola standards stipulation as a special stipulation. The holder shall construct, install, operate, and maintain their equipment in accordance with the Motorola R56 Standards (Release 68P81089E50-B, 9/1/2005, or later applicable version) and/or other applicable recognized industry standards, as determined by the Bureau of Land Management (BLM) Authorized Officer.
Native American Religious Concerns	✓			No concerns.
Floodplains	✓			The proposed action does not occur in a floodplain and will not impact downstream flooding.
Wetlands/Riparian Zones	✓			Proposed action does not occur in a wetland/riparian zone.
Threatened, Endangered or Candidate Plant Species	✓			Not present.

Supplemental Authority	Not Present	Present/Not Affected	Present/May be Affected	Rationale
Threatened, Endangered or Candidate Animal Species.	✓			<p>The above proposed action has a no affect determination on the threatened desert tortoise (<i>Gopherus agassizii</i>). This project will have no affect on any other federally listed species or designated critical habitat.</p> <p>The project is located within an existing communication site. The proposed project site is situated above 5,000 feet in elevation; therefore, tortoise habitat would be very low density, marginal at best. No impacts to desert tortoises are expected and no remuneration fees are required. Compliance with the special stipulations below will help to ensure that no affect to desert tortoise occurs.</p> <p>1) Should a Desert Tortoise enter the project area, all activities will immediately stop until such time as the animal has left the area of its own accord.</p> <p>2) A speed limit of 25 miles per hour shall be required for all vehicles travelling on the existing access road.</p> <p>3) Workers will be instructed to check underneath all vehicles before moving them as tortoises often take cover underneath parked vehicles.</p> <p>This notice will serve as the Section 7 Determination and no additional paperwork will be provided (Sec 7 Log # NV-052-12-121).</p>
Migratory Birds			✓	See E/A language and mitigation measures below ARF table.
Wastes (hazardous or solid)	✓			No hazmat issues present. Include standard hazmat stipulations in ROW grant.

Supplemental Authority	Not Present	Present/Not Affected	Present/May be Affected	Rationale
Water Quality		✓		The disturbance associated with the site may increase erosion on site, thereby increasing sediment loads in surface runoff. This could result in the degradation of surface water quality. Ensure applicant utilizes BMPs to reduce impacts to water quality.
Wild & Scenic Rivers	✓			Not present.
Wilderness (Study Area)	✓			The proposed action is not located within or adjacent to W/SAs, ISAs, or designated Wilderness.
Lands with Wilderness Characteristics	✓			The proposed action is located in areas which underwent an initial wilderness inventory and were determined not to meet the elements of wilderness characteristics. This area was not nominated for wilderness characteristics as part of the Las Vegas RMP Revision and therefore the BLM did not consider a re-inventory in this area. The proposed action is in conformance with the existing LUP per FLPMA as it relates to management of LWCs.
Rangeland Health Standards		✓		Negative impacts to Rangeland Health are not expected. Adverse impacts to surface hydrology which could also negatively affect rangeland health will be addressed and, if necessary mitigated, under the hydrology section.
BLM Natural Areas	✓			There are no such designations within the field office.

Other resources of the human environment that have been considered for this environmental assessment (EA) are listed in the table below. Elements that may be affected are further described in the EA. Rationale for those elements that would not be affected by the proposed action and alternative is listed in the table below.

Other Resources	Not Present	Present/Not Affected	Present/May be Affected	Rationale
Livestock Grazing	✓			The proposed action area is not located in any authorized grazing allotments.
Green House Gas Emissions		✓		Currently there are no emission limits for suspected Greenhouse Gas (GHG) emissions, and no technically defensible methodology for predicting potential climate changes from GHG emissions. However, there are, and will continue to be, several efforts to address GHG emissions from federal activities, including BLM authorized uses.
Geology/Minerals Resources/Energy Production	✓			No mining claims or mining operations present. Any excavation that produces mineral materials must be used within the project area or stockpiled on site for sale by the BLM. If mineral materials are to be stockpiled for sale a contract will be necessary before the stockpiled mineral materials can leave the area.
Hydrologic Conditions	✓			Even though the proposed action will cause some disturbance, these disturbances should not cause impacts to the Hydrologic Condition.
Socio-Economic Values		✓		This project will not disproportionately impact social or economic values.
Soils			✓	This project will potentially impact the local soils and needs to be evaluated in detail within this EA.
Vegetation Excluding Federally Listed Species		✓		There are no known occurrences of BLM sensitive species or suitable potential habitat within the project area. If there are unknown occurrences of BLM sensitive species within the project site, due to the small amount of disturbance, potential impacts would be negligible.

Other Resources	Not Present	Present/Not Affected	Present/May be Affected	Rationale
Visual Resources		✓		The proposed action occurs in VRM Class II, which allows for only minimal levels of contrast with the surrounding landscape. However, since the proposed action occurs adjacent to similar developments, it is not anticipated to attract the attention of the casual observer. Please ensure that change repeats the basic elements of form, line, color, and texture found in the natural landscape to the extent practical.
Recreation		✓		After review this should be an NI for recreation. It will temporarily displace the use during construction. However as long as the access route remains open there will be no permanent negative affect.
Wild Horses and Burros		✓		The proposed project is located in the Red Rock Herd Management Area (HMA). Due to the location and the size of this project there should be no impacts to wild horses or burros. Individuals would be informed to not harass (feed, pet, chase, etc.) wild horses and burros if encountered on or near the project areas. If they do see any wild horses and burros, they should keep a safe distance, they are wild animals and can be unpredictable, especially during foaling and breeding season.

Other Resources	Not Present	Present/Not Affected	Present/May be Affected	Rationale
Woodland/Forestry		✓		<p>Cactus, yucca, juniper and others trees may be present within the project impact area. Cactus, yuccas, junipers and others trees are considered government property and are regulated under the Nevada BLM forestry program. To the extent practical, cactus, yuccas and trees within project area are to be avoided to the extent practical.</p> <p>If unable to be avoided, all cactus and yucca within permanent and temporary impact areas must be salvaged and replanted in temporary impact areas or undisturbed portions of the project area. Unless otherwise directed by the BLM botanist, all replanted cactus and yucca must be watered and otherwise maintained for a period of one year. To ensure successful salvage and transplant, all cactus and yucca must be salvaged using a contractor (or other approved by the BLM botanist) with at least three years experience salvaging and maintaining plant materials in the Mojave or Sonoran Deserts.</p>

Other Resources	Not Present	Present/Not Affected	Present/May be Affected	Rationale
Fish and Wildlife excluding Federally Listed Species		✓		Wildlife species in the general area include small mammals, rodents, birds and reptiles. Additionally, the BLM sensitive species desert bighorn and chuckwalla may be present in the general area. These species would be displaced as lands are disturbed within the project area. The primary direct impacts of the proposed action on wildlife would be killing or maiming of ground dwelling animals and less mobile species (such as reptiles) during construction, displacement of individuals, the loss and fragmentation of habitat and increased potential for and harassments of wildlife.
Fish and Wildlife excluding Federally Listed Species (cont)				Additional impacts associated with the mortality from vehicular traffic may also be realized upon the completion of construction and subsequent use of the project area. Desert bighorns may be temporarily disturbed by vehicles operating in their habitat. Animals may seek cover on steep slopes and ridges to avoid vehicular activity and associated noise pollution. Solitude depended species, such as the Desert bighorn sheep, may abandon the area if human activities reduce the quality of their habitat.
Environmental Assessment				Wildlife species in the general area are common and widely distributed throughout the area and the loss of some individuals and/or their habitat would have a negligible impact on populations of the species throughout the region. Impacts to the desert big horn will be temporary in nature. Impacts to BLM Sensitive Species, chuckwalla, are not anticipated to lead to further decline of the species range wide as the total disturbance for this project is relatively small.

Section 3.1 Migratory Birds:

Under the Migratory Bird Treaty Act of 1918 (MBTA) and subsequent amendments (16 U.S.C. 703-711), it is unlawful to take, kill, or possess migratory birds. Numerous bird species travel through Nevada during spring and fall migrations. A list of the protected bird species can be found in 50 C.F.R. §10.13. The list of birds protected under this regulation is extensive and the project site has potential to support many of these species, including the BLM sensitive species the western burrowing owl (*Athene cunicularia*). Typically, the breeding season is when these species are most sensitive to disturbance, which generally occurs from March 1st through August 31st.

Section 3.2 Soils

Specific information on the soils in the project area is contained in existing data from the U.S. Department of Agriculture (USDA) and the Natural Resources Conservation Service (NRCS) 2006 Soil Survey of Clark County Area, Nevada.

Erosion:

Water erodibility of the soil on the canyon has not been classified, but soils are described as well-drained in general. (NRCS 2006). Processes of erosion are apparent on the peak. Specific to the Mojave Desert region, storm events would include the random summer cloud bursts that occur infrequently but can supply a large amount of water to a localized area, or a larger storm such as a tropical storm that occurs on a 100-year time scale. Any of these storms could result in hazards that would cause significant damage across the Proposed Project area and could potentially cause significant localized destruction.

Impacts of development of the communication site and the access road on soil resources include disturbances such as soil displacement and loss or burial of upper soil horizons. Soil disturbance is likely to result in reduced water-holding capacity (probably permanently), leading to potential loss of vegetation in an already sparsely vegetated area and increased water and wind erosion. The potential for water erosion is substantially greater on the road where stormwater run off is concentrated as well as from impervious or compacted surfaces in parking areas and structures. Physical soil properties such as density, strength, infiltration and water-holding capacity, soil aggregate stability, and productivity may also be affected.

Chapter 4 Environmental Impacts:

Section 4.1 Migratory Birds:

Migratory birds, including the BLM sensitive species the western burrowing owl (*Athene cunicularia*), may be present on the project site.

Section 4.2 Soils

Impacts of development of the communication site and the access road on soil resources include disturbances such as soil displacement and loss or burial of upper soil horizons. Soil disturbance is likely to result in reduced water-holding capacity (probably permanently), leading to potential loss of vegetation in an already sparsely vegetated area and increased water and wind erosion. The potential for water erosion is substantially greater on the road where stormwater runoff is concentrated as well as from impervious or compacted surfaces in parking areas and structures. Physical soil properties such as density, strength, infiltration and water-holding capacity, soil aggregate stability, and productivity may also be affected.

Section 4.3 Cumulative Impacts

The October 1998 RMP EIS identifies general management directions for the BLM on approximately 3.3 million acres of federal lands in Clark and a portion of southern Nye Counties in Nevada. Subsequent to the RMP, the BLM has completed numerous other documents which are related to specific uses and/or geographic locations throughout the area.

The geographic area for the cumulative effects analysis is the area within a half mile (2,640 feet) of the proposed action. The geographic area was chosen to capture the majority of the cumulative uses in the nearby area. Existing authorized uses within the geographic area include, utility lines, communication facilities, and roadways. This cumulative impacts analysis addresses the cumulative effects on air quality, fuels/fire, noxious weeds, water quality, lands/access, range health, socioeconomic, hydrology, vegetation, visual resources, wild horse and burro, woodland/Forestry, FWS species, migratory birds, soils and recreation. The proposed project would not impact the remainder of the resources evaluated previously and these resources are therefore not included in the cumulative analysis.

Past actions are those that are presently existing, present actions are considered to be those occurring at the time of this evaluation, and future actions are those that are in planning stages with a reasonable expectation of occurring within the next ten years. The timeframe for future actions was set at ten years, to align with the internal BLM standards for planning and due to the inability to extrapolate meaningfully beyond that time period due to the immense growth and development in the Southern Nevada District, LVFO planning area.

Potential cumulative impacts associated with the proposed action are expected to be mostly associated with current/future management concerns and for several of the supplement authorities. Management concerns relevant to the proposed action are associated with current BLM objectives as identified in current planning/compliance documents.

There are currently no authorized past actions which overlap the proposed project area. Adjacent land past action uses within the cumulative effects area consist of existing authorizations for other telecommunication uses including:

Table 1. Past Actions of Adjacent Lands

Action	Description	Area Affected
Las Vegas Repeater	ROW 20' x 20' for Communications Site	SENW
Clark County School District	ROW 100' x 100' TV Transmission Site	SENW
Los Angeles City	ROW Microwave Relay Communication Site	SENW
NV Amateur Radio	ROW 60' x 60' Communication Site	S2NW
Hilltop Church	ROW 12' x 12' Communication Site	SENW
NV Power Company	ROW Communication Site Facility	SENW
NV Power Company	ROW Underground Distribution Line	SESENW
Las Vegas Metropolitan Police Department	ROW 100' x 100' Microwave Radio Relay Station and Aerial Powerline,	SENW, E2SW
Tri State Amateur	ROW 40' x 30' Communications Site	SENW
Aeronautical Radio	ROW 20' X 20' Communication Site	SENW
American Tower	ROW Communication Site Facility	S2NW

Table 2. Present Actions

Action	Description	Area Affected
Arizona Nevada Tower Corporation	ROW 200' x 200' Communication Site	Proposed Action

Table 3. Pending Actions

Action	Description	Area Affected
None	None	None

Potential future actions which would either overlap or be adjacent to the proposed project area would likely include either modification to existing facilities/uses or new facilities to support the development of lands on adjacent lands.

Any past, current, or future projects within the vicinity of the proposed action, would be required to comply with all federal, state, and local regulations.

Construction and subsequent facility operation and maintenance would precipitate a small increase in traffic to and from the site. It is unlikely that this project would catalyze additional local development.

Mitigation Measures

5.1.1 Migratory Birds

Cumulative impacts to species due to loss of vegetation/habitat will be negligible and will occur on the road and site locations. Due to the size of the project minimal impacts should occur. Depending on the time of year for construction, there is the potential to disturb nesting birds within or immediately adjacent to the proposed action. The proponent will be required to adhere to the following mitigation measures:

- 1) To prevent undue harm, habitat-altering projects or portions of projects should be scheduled outside bird breeding season. In upland desert habitats and ephemeral washes containing upland species, the season generally occurs between March 1st and August 31st.

2) If a project that may alter any breeding habitat has to occur during the breeding season, then a qualified biologist must survey the area for nests prior to commencement of construction activities. This shall include burrowing and ground nesting species in addition to those nesting in vegetation. If any active nests (containing eggs or young) are found, an appropriately-sized buffer area must be avoided until the young birds fledge.

5.1.2 Soils

Cumulative impact to soil at this location could cause a reduction of water-holding capacity which would lead to potential loss of vegetation in an already sparsely vegetated area and could increase water and wind erosion. BMPs and erosion control techniques or other forms of mitigation would be required. Reduced erosion results in less impact on surface waters and less burial of biological soil crusts and reduces loss of growth material. However, due to the small size of the areas, and with mitigation activities these activities would have negligible impacts on soil resources. Constructing the proposed projects would cause disruption of soils on the project sites. Soil reworking would cause removal of existing vegetation and displacement or death of most animals living on-site.

Mitigation: BMPs and erosion control techniques to minimize impacts.

Chapter 5 Tribes, Individuals, Organizations, or Agencies Consulted:

Table 1. List of Persons, Agencies and Organizations Consulted

Name	Purpose & Authorities for Consultation or Coordination	Findings & Conclusions
Jane Miller, Site Development Projects Manager, Arizona Nevada Tower Corporation	Applicant — Project	

Chapter 6 List of Preparers

Table 2. List of Preparers:

Name	Title	Responsible for the Following Section(s) of this Document
Kerri-Anne Thorpe/Luis Rodriguez	Realty Specialist	Introduction, Purpose and Need, Scoping, Land/Access, Cumulative Impacts.
Lisa Christianson	Environmental Protection Specialist	Air Quality, Greenhouse Gas Emissions
Fred Edwards	Botanist	Botanist, Forest Initiative, Healthy (Cactus/Yucca), Threatened, Endangered or Candidate (Plant Species), Vegetation Excluding Listed Species
Susanne Rowe	Archaeologist	Cultural Resources, Native American Religious Concerns, Paleontology,
Katie Kleinick	Natural Resource Specialist	Fish & Wildlife, Migratory Birds, Threatened, Endangered or Candidate (Animal Species),
Boris Poff	Hydrologist	Floodplains, Hydrologic Conditions, Riparian/Wetlands, Soils, Water Resources/Quality (Drinking/Surface/Ground), Wetlands/Riparian Zones, Wild & Scenic Rivers
Amelia Savage	Wildlife Biologist	Fish & Wildlife, Migratory Birds, Threatened, Endangered or Candidate (Animal Species)
Lori Dee Dukes	Geologist	Geology/Mineral Resources/Energy Production, Recreation
Lee Kirk/Christopher Linehan	Outdoor recreation Planner	Farmlands, Prime or Unique
Krystal Johnson	Wild Horse and Burro Specialist	Invasive Species/ Noxious Weeds
Billy Williams	Natural Resource Specialist	Environmental Justice/Socio-Economics
John Evans	Planning and Environmental Coordinator	Fire Management
Greg Marfil	Fire Management Specialist	Areas with Wilderness Characteristics
Sendi Kalic	Wilderness Planner	

EXHIBIT A
LEGAL DESCRIPTION

Mount Diablo Meridian, Nevada
T. 24 S., R. 58 E.,
sec. 5, lot 3, S $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
sec. 6, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
sec. 7, E $\frac{1}{2}$ NE $\frac{1}{4}$;
sec. 8, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$;
sec. 15, S $\frac{1}{2}$ SW $\frac{1}{4}$;
sec. 16, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
sec. 17, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
sec. 22, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
sec. 23, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SW $\frac{1}{4}$.

The areas described containing approximately 18.615 acres

Exhibit B
Stipulations N-88220

1.0. Special Stipulations

- 1.1. For the life of the lease, due diligence is required for maintaining a wildfire defensive space of low to zero vegetation and fuels in this area.
- 1.2. Individuals will not feed, pet, or harass any wild horses or burros. They are wild and unpredictable especially during foaling and breeding season.
- 1.3. Trench shall be backfilled or covered at the end of each day during hours of inactivity or the trenches shall be dug in such a manner that the side and/or end walls are contoured to allow any animals that inadvertently fall in, a means to climb out.
- 1.4. If unable to be avoided, all cactus and yucca within permanent and temporary impact areas must be salvaged and replanted in temporary impact areas or undisturbed portions of the project area.
- 1.5. Unless otherwise directed by a BLM botanist, all replanted cactus and yucca must be watered and otherwise maintained for a period of one year.
- 1.6. To ensure successful salvage and transplant, all cactus and yucca must be salvaged using a contractor (or other approved by the BLM botanist) with at least three years' experience salvaging and maintaining plant materials in the Mojave or Sonoran Deserts.
- 1.7. Overhead power lines to the site could negatively impact casual recreation use from an already established launch site for paragliding and hang gliding activities. Power to the site must be supplied through underground methods for public health and safety purposes for the users of the launch site.

2.0. General Stipulations

- 2.1. The Lease is issued subject to all valid existing rights.
- 2.2. No signs of advertising devices shall be placed on the premises or on adjacent public lands, except those posted by or at the direction of the authorized officer.
- 2.3. The Lease shall be maintained in a sanitary condition at all times. Waste materials at those sites shall be disposed of promptly at an approved waste disposal site. "Waste", as used in this paragraph, shall mean all discarded matter of any kind.

2.4. Lessee shall mark the exterior boundaries of the Lease with stake and/or lath at 100 to 200 foot intervals. The intervals may be varied at the time of staking at the discretion of the Authorized Officer. The tops of the stakes and/or laths will be painted and the laths flagged in a distinctive color as determined by the Lessee. Lessee shall maintain all boundary stakes and/or laths in place until final cleanup and restoration is completed.

2.5. Lessee shall conduct all activities associated with construction, operation, maintenance and termination of this Lease within its authorized limits.

2.6. Lessee shall maintain the Lease in a safe, useable condition, as directed by the Authorized Officer. A regular maintenance program shall include, but is not limited to, soil stabilization.

2.7. Lessee shall maintain a copy of the authorization along with stipulations on the construction site at all times. In the event that the public land underlying the Lease area encompassed in this Lease, or a portion thereof, is conveyed out of Federal ownership and administration of the Lease or the land underlying the Lease is not being reserved to the United States in the patent/deed and/or the Lease is not within a right-of-way corridor being reserved to the United States in the patent/deed, the United States waives any right it has to administer the Lease, or portion thereof, within the conveyed land under Federal laws, statutes, and regulations, including the regulations at 43 CFR Part 2800, including any rights to have the Lessee apply to BLM for amendments, modifications, or assignments and for BLM to approve or recognize such amendments, modifications, or assignments. At the time of conveyance, the patentee/Lessee, and their successors and assigns, shall succeed to the interests of the United States in all matters relating to the Lease, or portion thereof, within the conveyed land and shall be subject to applicable State and local government laws, statutes, and ordinances. After conveyance, any disputes concerning compliance with the use and the terms and conditions of the Lease shall be considered a civil matter between the patentee/Lessee and the Lessee.

2.8. Within 90 days of construction completion, the Lessee shall provide the Authorized Officer with data in a format compatible with the Bureau's Arc-Info Geographic Information System to accurately locate and identify the Lease:

Acceptable data formats are:
Corrected Global Positioning System files with sub-meter accuracy or better, in UTM NAD 83; Zone 11;
ARCGIS export files on a CD ROM, shapfile, geodatabase.

Data may be submitted in any of the following formats:
ARCGIS interchange, shapfile or geodatabase format.
CD ROM in compressed or uncompressed format.

All data shall include metadata for each coverage, and conform to the Content Standards for Digital Geospatial Metadata Federal Geographic Data Committee standards. Contact the GIS Department at (702) 515-5000.

2.9. The Lessee shall notify the authorized officer of any change of mailing address.

2.10. The United States retains the right to authorize use of the Lease for other compatible uses (including the subsurface and air space).

2.11. Lessee shall have a site management plan approved before any construction, operation, maintenance, or termination activities take place. A notice to proceed shall not be issued until the site management plan is approved in writing by the authorized officer.

3.0. Air Quality

3.1. The Lessee shall not violate applicable air standards or related facility siting standards established by or pursuant to applicable federal, state, or local laws or regulations. The Lessee shall be responsible for dust abatement within the limits of the Lease and is responsible for obtaining all necessary permits from appropriate authorities for acceptable dust abatement and control methods (e.g., water, chemicals). The Lessee shall be solely responsible for all violations of any air quality permit, law or regulation, as a result of its action, inaction, use or occupancy of the Lease.

Ensure a dust control permit is obtained through DAQEM for all soil disturbing activity of .25 acres or greater, in the aggregate, and permit stipulations are in compliance for the duration of the activity.

Notwithstanding whether a violation of any air quality permit, law or regulation results, the Lessee will cooperate with the Authorized Officer in implementing and maintaining reasonable and appropriate dust control methods in conformance with law and appropriate to the circumstances at the sole cost of the Lessee.

Prior to relinquishment, abandonment, or termination of this Lease, the Lessee shall apply reasonable and appropriate dust abatement and control measures to all disturbed areas. The abatement and measures shall be designed to be effective over the long-term (e.g., rock mulch or other means) and acceptable to the Authorized Officer.

3.2. During excavation, backfilling, and contouring, the disturbed soil should be wetted sufficiently in order to effectively reduce airborne dust and reduce soil erosion.

4.0. Cultural

- 4.1. Any cultural and/or paleontological resources (historic or prehistoric site or object) discovered by the Lessee, or any person working on his behalf on public or Federal lands shall be immediately reported to the Authorized Officer. Lessee shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the Authorized Officer. An evaluation of the discovery will be made by the Authorized Officer to determine appropriate actions to prevent the loss of significant cultural or scientific values. The Lessee will be responsible for the cost of evaluation. Any decision regarding suitable mitigation measures will be made by the Authorized Officer after consulting with the Lessee. Lessee shall be responsible for the resultant mitigation costs.

5.0. Hazardous Material/Pesticides/Liability

- 5.1. No hazardous material, substance, or hazardous waste, (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, *et seq.*, or the Resource Conservation and Recovery Act, 42 U.S.C. 6901, *et seq.*) shall be used, produced, transported, released, disposed of, or stored within the Lease area at any time by the Lessee. The Lessee shall immediately report any release of hazardous substances (leaks, spills, etc.) caused by the Lessee or third parties in excess of the reportable quantity as required by federal, state, or local laws and regulations. A copy of any report required or requested by any federal, state or local government agency as a result of a reportable release or spill of any hazardous substances shall be furnished to the Authorized Officer concurrent with the filing of the reports to the involved federal, state or local government agency.
- 5.2. The Lessee shall immediately notify the Authorized Officer of any release of hazardous substances, toxic substances, or hazardous waste on or near the Lease potentially affecting the Lease of which the Lessee is aware.
- 5.3. As required by law, Lessee shall have responsibility for, and shall take all action(s) necessary to fully remediate, and address the hazardous substance(s) on or emanating from the Lease area.
- 5.4. Use of pesticides shall comply with the applicable Federal and state laws. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the Lessee shall obtain from the Authorized Officer written approval of a plan showing the type and quantity of material to be used, pest(s) to be controlled, method of application, location of storage and disposal of containers and any other information deemed necessary by the Authorized Officer.

The plan shall be submitted no later than December 1 of any calendar year that covers the proposed activities for the next fiscal year.

Pesticides shall not be permanently stored on public lands authorized for use under this Lease.

- 5.5. The Lessee shall comply with all applicable local, state, and federal air, water, hazardous substance, solid waste, or other environmental laws and regulations, existing or hereafter enacted or promulgated. To the full extent permissible by law, the Lessee agrees to indemnify and hold harmless, within the limits, if any, established by state law (as state law exists on the effective date of the Lease), the United States against any liability arising from the Lessee's use or occupancy of the Lease, regardless of whether the Lessee has actually developed or caused development to occur on the Lease, from the time of the issuance of this Lease to the Lessee, and during the term of this Lease. This agreement to indemnify and hold harmless the United States against any liability shall apply without regard to whether the liability is caused by the Lessee, its agents, contractors, or third parties. If the liability is caused by third parties, the Lessee will pursue legal remedies against such third parties as if the Lessee were the fee owner of the Lease.

Notwithstanding any limits to the Lessee's ability to indemnify and hold harmless the United States which may exist under state law, the Lessee agrees to bear all responsibility (financial or other) for any and all liability or responsibility of any kind or nature assessed against the United States arising from the Lessee's use or occupancy of the Lease regardless of whether the Lessee has actually developed or caused development to occur on the Lease from the time of the issuance of this Lease to the Lessee and during the term of this Lease.

6.0. Survey Monuments

- 6.1. Lessee shall protect all survey monuments found within the authorization area. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coast and Geodetic Survey benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. If any of the above are to be disturbed during operations, the Lessee shall secure the services of a Professional Land Surveyor or Bureau cadastral surveyor to perpetuate the disturbed monuments and references using surveying procedures found in the Manual of Instructions for the Survey of the Public Lands of the United States and Nevada Revised Statutes, Chapter 329, Perpetuation of Corners. The Lessee shall record such survey in the appropriate county and send a copy to the authorized officer. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monuments, the Lessee shall be responsible for the survey cost.

7.0. Vegetation/Noxious Weeds/Land Surface Treatment/Soil/Water/Riparian

7.1. The Lessee shall be responsible for weed control on disturbed areas within the limits of the Lease. The Lessee is responsible for consultation with the Authorized Officer and/or local authorities for acceptable weed control methods within limits imposed in the Lease stipulations.

7.2. A void or minimize all types of travel through weed-infested areas. If a problem is identified and avoidance or removal is not possible, the project proponent shall set up inspection and equipment cleaning sites to prevent the spread of weeds upon departure.

7.3. Limit ground disturbance to the minimum necessary to safely construct and operate the proposed project. The lessee would avoid creating soil conditions that promote weed germination and establishment.

7.4. Project related equipment (i.e. undercarriages and wheel wells) will be cleaned of all mud, dirt, and plant parts before each tour. Project workers shall inspect, remove, and dispose of weed seed and plant parts found on their clothing and personal equipment, bag the product and dispose of in a dumpster. Disposal methods vary depending on the project. If you have questions consult with the Las Vegas Field Office (LVFO) Noxious Weed Coordinator.

7.5. Present and future weed monitoring and weed abatement activities are the responsibility of the Lessee. Soil disturbance is not expected to encourage noxious weed establishment, but weed control is to be closely monitored and executed at the time of construction and the following three growth seasons. Participants shall remove soil and vegetation from vehicles, personnel, and equipment before entering and upon leaving the work site, as standard practice to prevent the establishment and transportation of noxious weeds.

7.6. Land surface treatment for areas previously disturbed: Following excavation, trenches will be backfilled with the excavated soil. The soil will be distributed and contoured evenly over the surface of the disturbed area. The soil surface will be left rough to help reduce potential wind erosion.

7.7. Soil/Water/Riparian: If work is to occur in Ephemeral channels, need to consult with Army Corp of Engineers (ACOE) and Nevada Department of Environmental Protection (NDEP). If drilling boreholes, Lessee needs to follow Nevada Administrative Code (NAC) protocols for drilling.

8.0. Migratory Birds

- 8.1. To prevent undue harm, habitat-altering projects or portions of projects should be scheduled outside bird breeding season. In upland desert habitats and ephemeral washes containing upland species, the season generally occurs between March 1st and August 31st.

If a project that may alter any breeding habitat has to occur during the breeding season, then a qualified biologist must survey the area for nests prior to commencement of construction activities. This shall include burrowing and ground nesting species in addition to those nesting in vegetation. If any active nests (containing eggs or young) are found, an appropriately-sized buffer area must be avoided until the young birds fledge.

9.0. Threatened and Endangered Species

- 9.1 Should a desert tortoise enter the project area, all activities will immediately stop until such time as the animal has left the area of its own accord.
- 9.2 A speed limit of 25 miles per hour shall be required for all vehicles travelling on the existing access road.
- 9.3 Workers will be instructed to check underneath all vehicles before moving them as tortoises often take cover underneath parked vehicles.

10.0. Fish and Wildlife Excluding Federally Listed Species

None are impacted by the action, but Lessee must abide by the terms and conditions of Biological Opinion 1-5-96-F-023R, on file with the BLM Las Vegas Field Office.

Wildlife species in the general area are common and widely distributed throughout the area and the loss of some individuals and/or their habitat would have a negligible impact on populations of the species throughout the region. Impacts to the desert big horn will be temporary in nature. Impacts to BLM Sensitive Species, chuckwalla, are not anticipated to lead to further decline of the species range wide as the total disturbance for this project is relatively small.

COMMUNICATION SITE LEASE STIPULATIONS

1.0. General Conditions

- 1.1. The holder shall construct, install, operate, and maintain their equipment in accordance with the Motorola R56 Standards (Release 68P81089E50-B, 9/1/2005, or later applicable version) and/or other applicable recognized industry standards, as determined by the Bureau of Land Management (BLM) Authorized Officer.

1.2. This Lease is for the construction and utilization of the structures and facilities described on the face of the Lease under "Nature of Interest". Any additional construction will need to be approved by the Authorized Officer. Any additional uses will need to be reported in the Use Inventory Worksheets that are to be submitted by October 15 of every year.

1.3 The Lease herein granted is conditioned upon an approved license and/or renewal granted by the appropriate agency (FCC or IRAC).

1.4. The Lessee will not transmit from the site until the proper license is received. If the license is not granted, any improvements will be removed and the site rehabilitated to the satisfaction of the Authorized Officer. BLM may, at the request of the Lessee, and at the discretion of BLM, accept title to improvements made by the Lessee in lieu of removal and rehabilitation.

1.5. The facility owner/manager is responsible for ensuring that all subsequent users of this communication site adhere to the terms and conditions of this authorization and meet the requirements set forth in these stipulations. Failure on the part of the facility owner/manager to do so may jeopardize this authorization.

1.6. Lessee accepts this Lease and possession of the property, subject to any valid existing rights, and agrees not to use the property, or any part thereof, except as a site for only the construction, operation, maintenance, and termination of a communications facility.

a. All development, operation and maintenance of the authorized facility, improvements, and equipment located on the property must be in accordance with stipulations in the communications site plan approved by the Authorized Officer, if applicable. If required by the Authorized Officer, all plans for development, layout, construction, or alteration of improvements on the property as well as revisions of such plans, must be prepared by a licensed engineer, architect, and or landscape architect. Such plans must be approved in writing by the Authorized Officer before commencement of any work. After completion, as-built plans, maps, surveys, or other similar information will be provided to the Authorized Officer and appended to the communications site plan.

b. Lessee must comply with applicable Federal, State, county, and municipal laws, regulations and standards for public health and safety, environmental protection, siting, construction, operation, and maintenance in exercising the rights granted by this Lease. The obligations of Lessee under this Lease are not contingent upon any duty of the Authorized Officer, or other agent of the United States, to inspect the premises. A failure by the United States, or other governmental officials, to inspect is not a defense to noncompliance with any of the terms or conditions of this Lease. Lessee waives all defenses of laches

or estoppel against the United States. Lessee must at all times keep the title of the United States to the property free and clear of all liens and encumbrances.

- c. Lessee must ensure that equipment within his or her facility (including tenant and customer equipment) operates in a manner which will not cause harmful interference with the operation of existing equipment on or adjacent to the communications site. If the Authorized Officer or authorized official of the Federal Communications Commission (FCC) determines that Lessee's use interferes with existing equipment, the Lessee must promptly take the necessary steps to eliminate or reduce the harmful interference to the satisfaction of the Authorized Officer or FCC official.

2.0. Site Development (New Buildings and Towers)

2.A. Undeveloped Sites

- 2.A.1. Buildings or equipment enclosures constructed on previously undeveloped sites shall be required to have a minimum of 120 square feet of floor space, and a minimum tower (or pole) height of 50 feet. The facilities owner shall be required to Lease space to new applicants at reasonable rates, and new applicants shall be required to Lease from the owner at reasonable rates until the facility is either full, or a minimum of 4 transmitters are in place.

- 2.A.2. Use of a combiner may be required by the Lessee at his/her discretion, where 2 or more radios in the same band are in the facility.

- 2.A.3. Exception may be made to the first paragraph for facilities where law enforcement, and/or emergency communications radio systems are involved. No exception will be made if the owner is willing to secure an area for the use of such radios. Exception may also be made for applicants whose initial application exceeds the remaining capacity of the existing facilities.

- 2.A.4. In the event applicants cannot agree on Lease rates, the owner and the applicant may jointly hire an appraiser and agree to abide by the appraisers decision. In the event the owner and the applicant cannot agree on an appraiser, they may each hire an appraiser and agree to the median appraised rate as the Lease rate. If no agreement is reached at this point, the BLM may decide the Lease rate, and bill the owner and the applicant each for 50% of the cost of establishing the Lease rate.

- 2.A.5. Governmental agencies shall be required to build facilities in accordance with these requirements, but may not be required to Lease space if specifically prohibited by law.

2.B. Developed Sites

2.B.1. Sites with one or more existing communications facilities are considered developed sites.

2.B.2. Developed sites shall have no new construction where leaseable space exists and where the current Lessee is willing to Lease space at reasonable rates, or is required to Lease at reasonable rates by stipulation in his/her Lease.

2.B.3. New construction in developed sites shall be subject to all the requirements of 2A above with the following changes: Minimum floor space shall be 160 square feet, minimum tower (or pole) height shall be 80 feet, and the last paragraph of 2 A above shall be read as "The facilities owner shall be required to Lease space to new applicants at reasonable rates, and new applicants shall be required to Lease from the owner at reasonable rates until the facility is either full, or a minimum of 6 transmitters are in place".

2.C. High Power Sites: (1,001 watts ERP and above)

2.C.1. Parts one through five of "Technical specifications" (referring to band pass cavities and isolators) does not apply in those applications where the equipment is not commercially manufactured.

2.C.2. Floor space requirements shall remain the same as 2A and 2B above, but radio numbers shall be reduced to 2 per 120 square feet, and 3 per 160 square feet.

2.C.3. Tower heights are changed to a minimum of 160 feet, and towers must be designed and constructed to be capable of adding an additional 80 feet (for a minimum total height capability of 240 feet).

2.C.4. High power users (1,000+ watts ERP) may add low power users (less than 1,000 watts) below the required height for the high power antenna. Low power users in the high power facility shall not have recourse against the high power user for interference problems from the high power user, except that recourse which may be available through the appropriate regulatory agency for improper and illegal operation of the high power station.

2.C.5. High power stations (5,000 watts ERP and below) may not be constructed within ¼ airline mile of low power stations without obtaining the written approval of all low power users within a 1-mile radius of the proposed construction site. High power stations (5,001 watts ERP) and above may

not be constructed within ½ airline mile of low power users without obtaining the written approval of all low power users within a 1 mile radius of the proposed construction site.

3.0. Technical Specifications

3.1. Transmitters shall have a band pass cavity that will provide:

30	-	50 Mhz:	20 db attenuation at 500 Khz (BP filter acceptable at these frequencies)
70	-	88 Mhz:	10 db attenuation at 1 Mhz
130	-	180 Mhz:	10 db attenuation at 350 Khz
400	-	520 Mhz:	5 db attenuation at 1 Khz
806	-	1296 Mhz:	5 db attenuation at 1 Mhz

3.2. Transmitters operating in the range of 130 to 1,296 Mhz shall also have a ferrite isolator with a minimum of 25 db rejection in the reverse direction. The isolator shall be installed between the transmitter and the cavity.

3.3. A band pass cavity in accordance with paragraph one above shall be placed in the feedline to receivers.

3.4. Notch type duplexers shall be preceded by the band pass cavity.

3.5. A low pass filter or a band pass cavity shall be between the isolator and the antenna feed line.

3.6. Jacketed Heliax type transmission is required external to buildings. Unjacketed transmission line of any type is prohibited external to closed metal cabinets.

3.7. To secure transmission line to towers, nylon tie wraps, insulated wire, or tape is recommended. Uninsulated metal ties of any kind shall not be used.

3.8. BLM reserves the right to require Lessee to take such measures to eliminate interference to another user as may be necessary. This may include installation of additional cavities, isolators, and other equipment as needed between the interfering transmitter and associated antenna, and all other measures which may be required. The operation of this equipment shall not interfere with any prior radio or electronic apparatus user of this site within two airline miles of said site. Lessee shall at his own expense take all action necessary to prevent or eliminate such interference. If Lessee does not eliminate the interference within ten days after receipt of notice from BLM, this Lease may be terminated forthwith. Lessee shall cease operations under this permit temporarily if he interferes with BLM radio or electronic operation in an emergency situation.

3.9. All radio-electronic type transmitting and receiving equipment shall be mounted in enclosed metal cabinets or standard racks with effective RF protective metal shielding covering the basic units including all receivers, transmitters, and power supplies.

3.10. Bureau personnel or other governmental agencies will be granted access into the building upon request to inspect the building and facilities for cleanliness, safety features, general appearance and compliance with the terms of the grant. Lessees must be prepared for compliance check within 24 hours notice when interference problems are present, and within 5 working days for other compliance checks. Lessees shall have at least one person in attendance during compliance checks.

3.11. Sites with Lookouts: Any new antenna, tower or structure shall be located and constructed to minimize impact on the Lookout's ability to see and report fires. Debilitative obstruction is not permissible.

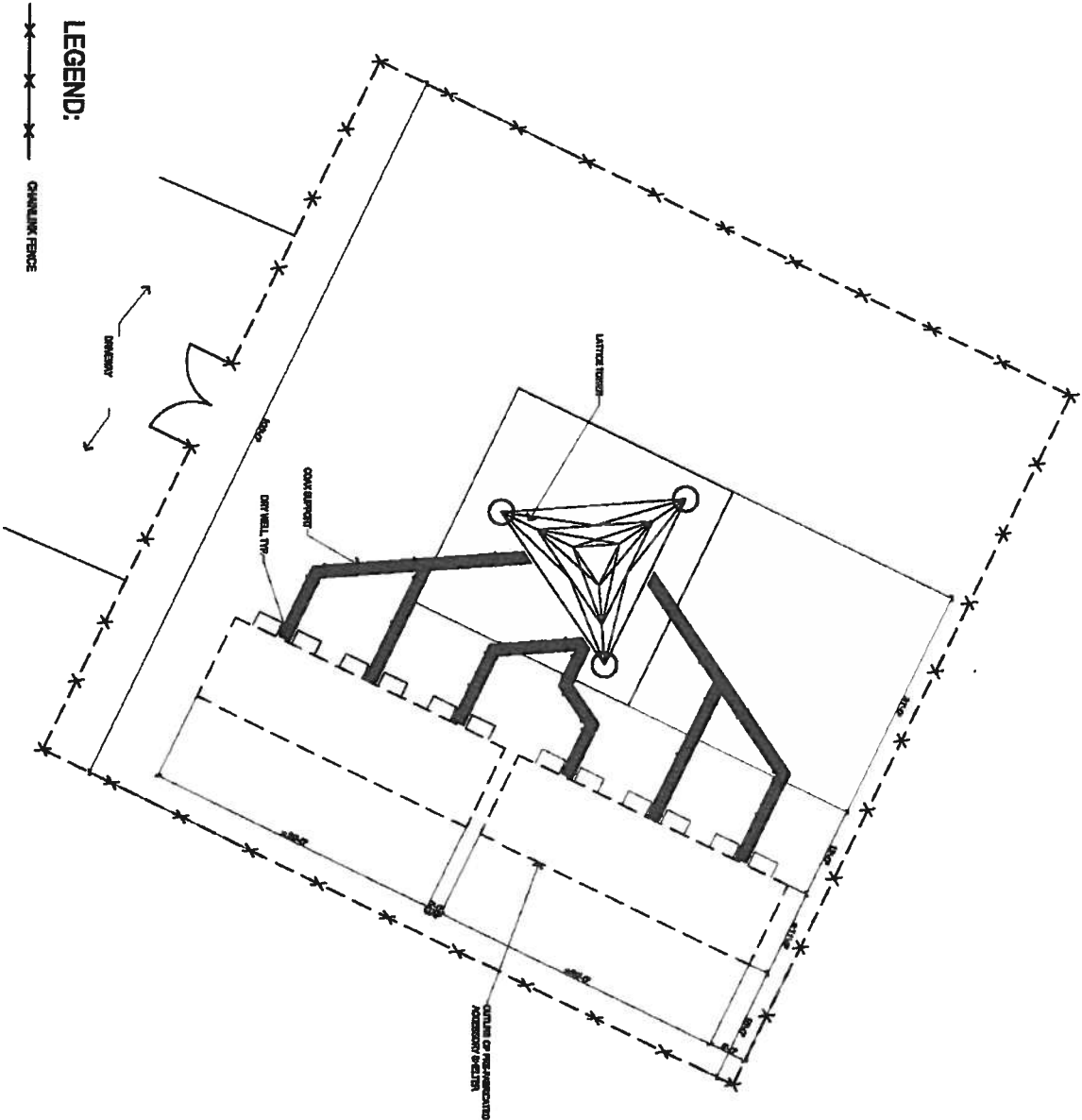
3.12. No concentrated beam of energy shall be allowed to pass through a Lookout building or other commonly occupied building, nor shall it pass through another user's electronics facility or antenna system. Structures and antenna shall not be constructed or placed in such a manner as will block an existing concentrated beam of energy.

3.13. Buildings for which the Lease is being issued or renewed shall be plainly identified in letters one inch or higher, on or near the door, on the outside, with the case file (Lease) number assigned to this Lease.

3.14. Antennas shall maintain the following minimum clearances from ground level:

<u>Effective Radiated Power</u>	<u>Clearance</u>
.1 to 100 watts	10 feet
101 to 500 watts	15 feet
501 to 1,000 watts	20 feet
1,001 to 5,000 watts	60 feet
5,001 to 25,000 watts	80 feet
25,001 to 100,000 watts	100 feet

These requirements have been made as a result of previous problems, and the continued growth of the communications industry in Nevada. They are intended to benefit all radio users by protecting existing users, minimizing interference problems, and making allowance for increased demand for radio sites and radio service.



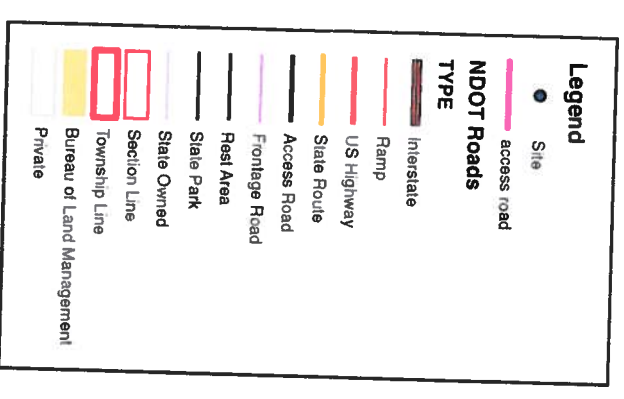
N-88220 – Authorization of a 200' x 200' fenced site containing an equipment building and an up to 300' self-supported lattice tower. Access is on the 20' wide by 7.3 mile long already existing unpaved access road starting in Goodsprings, Nevada and continuing past the FAA fenced facility for 1,200' to the site.

**Arizona Nevada
Tower Corporation**

N-88220

Lower Potosi Communication Site

Exhibit D

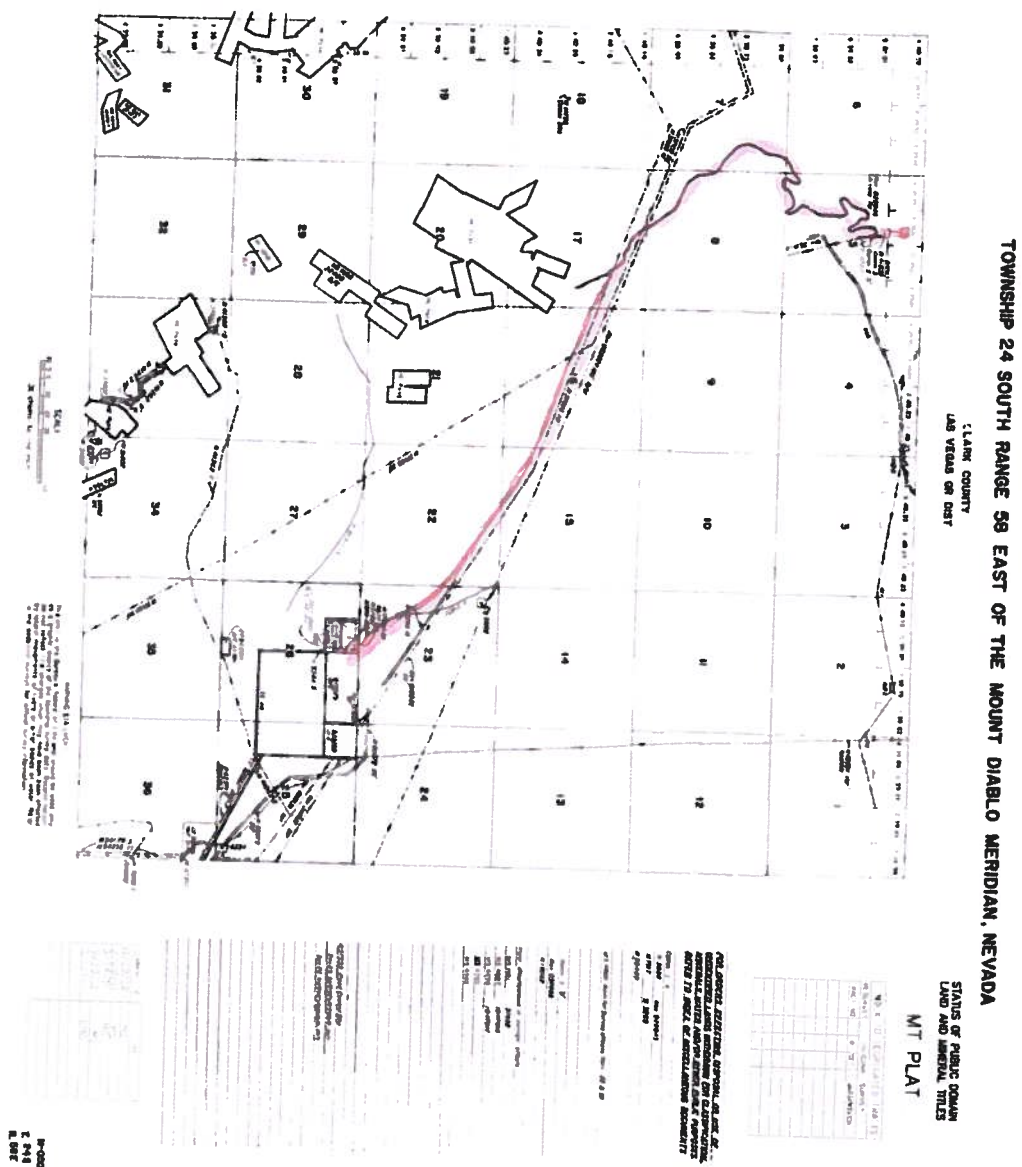


0 0.225 0.45 0.9 Miles

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of these data for individual or aggregate use with other data. Original data were compiled from various sources. This information may not meet National Map Accuracy Standards. This product was developed through digital means and may be updated without notification.



Arizona Nevada Tower Corporation N-88220
MTP



N-88220 – Authorization of a 200' x 200' fenced site containing an equipment building and an up to 300' self-supported lattice tower. Access is on the 20' wide by 7.3 mile long already existing unpaved access road starting in Goodsprings, Nevada and continuing past the FAA fenced facility for 1,200' to the site.